Case 4:08-cv-00731-A Document 21 Filed 02/10/10 Page 1 of 2 PageID 9 U.S. DISTRICT COURT NORTHERN DISTRICT OF TEXAS FILED IN THE UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF TEXAS FORT WORTH DIVISION CLERK, U.S. DISTRICT COURT DONNA JEAN MOXLEY, § Deputy § Plaintiff, § § VS. § NO. 4:08-CV-731-A Ş MICHAEL J. ASTRUE, § COMMISSIONER OF SOCIAL § SECURITY, § § Defendant. §

<u>ORDER</u>

Came on for consideration the above-captioned action wherein Donna Jean Moxley is plaintiff and Michael J. Astrue,

Commissioner of Social Security, is defendant. This is an action for judicial review of a final decision of the Commissioner denying plaintiff's claim for supplemental security income benefits under Title XVI of the Social Security Act. On January 19, 2010, the United States Magistrate Judge issued his proposed findings, conclusions, and recommendation and granted the parties until February 9, 2010, in which to file and serve objections.

Because timely objections have not been filed, the court adopts the magistrate judge's proposed findings and conclusions and accepts the magistrate judge's recommendation.

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Therefore,

The court ORDERS that the decision of defendant that plaintiff was not entitled to supplemental security income benefits under Title XVI of the Social Security Act be, and is hereby, affirmed.

SIGNED February 10, 2010.

HN MCBRYDE

rited States District Judge